

SHER TREMONTE LLP

September 28, 2020

**BY ECF**

The Honorable Cathy Seibel  
United States District Judge  
Southern District of New York  
Hon. Charles L. Brieant, Jr. United States Courthouse  
300 Quarropas Street  
White Plains, NY 10601

**Re:** *Terpin v. Pinsky, et al.*,  
Case No. 20 Civ. 3557 (CS)

Dear Judge Seibel:

We write on behalf of our client, Ellis Pinsky, to respectfully request permission to file a memorandum of law exceeding 25 pages, pursuant to section 2(B)(i) of Your Honor's Individual Practices. As the Court knows, the First Amended Complaint ("FAC") in this case includes a claim under RICO and common law claims of conversion, money had and received, and replevin. After a pre-motion conference before Your Honor, Plaintiff amended the Complaint to add further allegations in support of the RICO claim and allegations that bear on the timeliness of the common law claims. In order to address these claims comprehensively in a motion to dismiss – especially given the complexity of the RICO statute – we anticipate exceeding the 25 page limit for memoranda of law set in Your Honor's Individual Practice. Accordingly, we respectfully request permission to file a memorandum of law of no more than 40 pages. Plaintiff's counsel consents to this request.

Respectfully submitted,

/s/ \_\_\_\_\_  
Noam Biale  
Michael Tremonte  
SHER TREMONTE LLP

*Attorneys for Ellis Pinsky*

cc: Opposing Counsel (via ECF)